

BOARD OF MADISON COUNTY COMMISSIONERS
October 23, 2007 MINUTES

On Tuesday, October 23, 2007, a meeting of the Board of Madison County Commissioners came to order at 9:15 a.m. with Commissioners David Schulz, Marilyn Ross, and Jim Hart present.

Jim Hart moved to approve the October 9, 2007, minutes as read. Marilyn Ross seconded the motion. All voted aye and the motion carried.

Those people in attendance at the meeting were Vicki Tilstra, Charity Fechter, Lee Poole, Judy Melin, John Semingson, Mary Van Zandt, Lynn Owens, Devonna Owens, and those people on the attached list.

County Vehicle Use: The Board requested that Vicki Tilstra, Chief Financial Officer, be present for this portion of the meeting to discuss taxable benefits for persons using County vehicles for daily travel to and from work. Vicki will contact Denning and Downey, auditors for Madison County, for clarification of this issue.

Juvenile Accountability Grant Award: Marilyn Ross moved to approve the Grant Award from the State of Montana, Board of Crime Control, for Subgrant 07-A14-90150, Juvenile Accountability Management Program, in the amount of \$22,049, with a local match of \$2,450, for a total amount of \$24,499, and to bill Beaverhead and Jefferson County for their portion of the local match. Jim Hart seconded the motion. All voted aye and the motion carried.

Staff Planner Position: Charity Fechter, Planning Director, met with the Board to discuss selection of candidates to interview for the Planner II position. Charity stated that she would like to interview all candidates indicated on the list she provided to the Board. The Board will schedule Planner II interviews for Monday, October 29, 2007, beginning at 9:00 a.m.

Moonlight Basin Ranch ODP: Charity Fechter, Planning Director, met with the Board to discuss a revised Overall Development Plan for Moonlight Basin Ranch that is being reviewed by contracted planner, Dave DeGrandpre. Lee Poole of Moonlight Basin Ranch was also present for this portion of the meeting. Lee stated that the term "units" needs to be clarified in the plan and that they still need to come up with specific language defining commercial use units. Also discussed was developing a fee schedule for reviewing ODP's. Lee stated that Moonlight Basin Ranch had previously agreed to pay for review of this ODP. Charity stated that she did not see anything wrong with the plan and that it was scheduled to be reviewed by the Planning Board at their regular meeting on November 26, 2007.

Orchard Hill Estates Final Release of Escrow Account: Marilyn Ross stated that she had inspected improvements at Orchard Hill Estates and that all requirements appear to be met. Marilyn Ross moved to authorize the release of the entire remaining amount of \$2,198.00 from Escrow Account #5085518 held by First Madison Valley Bank of Ennis, Montana, for completion of road construction and cistern and culvert installation at Orchard Hill Estates Subdivision. Jim Hart seconded the motion. All voted aye and the motion carried.

Hospice Agreement: John Semingson, Tobacco Root Mountains Care Center Administrator, and Judy Melin, Madison Valley Manor Administrator, met with the Board to discuss a Collaborative Care Agreement with Rocky Mountain Hospice of Bozeman. Mary Van Zandt, Lynn Owens, and Devonna Owens, were present for this portion of the meeting on behalf of Madison County Volunteer Hospice. Mary Van Zandt stated that she had been informed that Madison County was considering entering into a contract for Hospice services. Mary wanted to be sure the Board was aware that there were already volunteer hospice services available in Madison County. Judy Melin stated that the proposed agreement would be for people that were not Madison County residents who needed to be placed in the Madison Valley Manor. Judy stated that this agreement would not affect the services provided by the Madison County Hospice. Judy also stated that the contract could be terminated by giving thirty days written notice and that, if for some reason it did negatively affect the local hospice, the contract would be canceled. John Semingson suggested that Madison County should be named as an additional insured on the insurance policy of the hospice agreement. Jim Hart moved to approve the Collaborative Care Agreement between Rocky Mountain Hospice and Madison Valley Manor for hospice services, with the understanding that the agreement be amended to include Madison County as an additional insured on the provider's liability insurance policy. David Schulz seconded the motion. Jim Hart and David Schulz voted aye. Marilyn Ross voted nay. The motion carried on a majority vote.

Drug Testing Policies: John Semingson, Tobacco Root Mountains Care Center Administrator, and Judy Melin, Madison Valley Manor Administrator, met with the Board to discuss the County drug testing policy. John and

Judy will contact other nursing homes regarding their policies and possibly recommend revisions to the County policy.

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Staff Meeting: Those present for the staff meeting were John Semingson, Judy Melin, Barbie Durham, Shelly Burke, Johanna Lester, Patty Davis, Chris Christensen, Karen Brown, Charity Fechter, Vicki Tilstra, Lana Atkins, Kathleen Mumme, Marilee Tucker, Janie Alt, Margie Edsall, Carmin Hill, Kacey Smart, Dave Schenk, Brian Sakahara, Steve DiGiovanna, Brandy Hilton, Ralph Hamler, Karen Miller, Linda Robertson, Sheri Jarvis, Nick Gevock, Lizz Babcock, and MaryAnn O'Malley.

- **Halloween Party:** Shelly Burke, Treasurer, stated that there is a list in her office for the Halloween pot luck, that everyone needs to dress up for the party, and that we are still in need of impartial judges.
- **Christmas Party:** David Schulz asked if anyone had preferences about when and where to have this year's Christmas party. Patty Davis stated that she would like the party to be held at the Sportsman's Lodge in Ennis. Shelly will check the basketball schedule so that the party will not be scheduled on the same night as a game.
- **County Vehicle Use:** David Schulz stated that the Board has authorized Steve DiGiovanna, Communications Coordinator, to have permanent use of the blue county car and equip it with radio equipment. Therefore, there will now only be one car available for general county use. David Schulz also stated that the Finance Department is checking on regulations that may create a tax obligation to employees that use county vehicles to travel back and forth to work.
- **Workers' Compensation for Board Members:** David Schulz stated that volunteer board members are entitled to workers' compensation benefits while in service to Madison County and asked department heads that have advisory boards to make sure the time gets turned in to the Finance Office so that it is accounted for. Vicki stated that they will need names, social security numbers, and hours served.
- **Law and Justice Center Project:** David Schulz asked for comments regarding the building project. Several suggestions were discussed, such as: going forward with the courthouse addition portion of the project; forming citizen groups in each community to help with planning, informational out reach, and rebuttal of misinformation; moving the project out of the city limits of Virginia City; moving the County seat; funding the project with revenue other than a bond issue so it could be completed without going to the voters. No one present spoke against moving forward with the project.
- **Boo the Cat:** The group discussed whether Boo the Cat should be allowed in the Courthouse or not. There have been some complaints regarding allergies, cleaning issues, and being locked in the building.
- **Employee Concerns:** Some concerns brought up by employees were not enough space; leaves or snow on the steps of the Pankey House causing a safety concern; and a section of board missing on the sidewalk in front of the Pankey House.

Salaried Employee Time Sheets: John Semingson, Tobacco Root Mountains Care Center Administrator, Judy Melin, Madison Valley Manor Administrator, and Vicki Tilstra, Chief Financial Officer, met with the Board to discuss the procedure to be followed by administrative employees when completing County time sheets.

Medical Director Contract: Judy Melin, Madison Valley Manor Administrator, presented the Board with an agreement for medical services at the Madison Valley Manor. Marilyn Ross moved to approve the Agreement For Services, Medical Director, Madison Valley Manor, between Madison County and Dr. Jaye Swoboda for Madison Valley Hospital and Clinic, to perform all services necessary to carry out the function of a Medical Director of the Madison Valley Manor, for the period from October 1, 2007, through September 30, 2008, for the amount of \$450 per month. Jim Hart seconded the motion. All voted aye and the motion carried.

Report on Water Forum: Those people on the attached list were present for this portion of the meeting. Lane Adamson recapped the growth solutions process and discussed a recent water summit that took place in Ennis and presented the Board with a formal request to the County Commissioners to impose setback requirements for all new developments in the Madison Valley, not just subdivisions. Discussion followed regarding the boundary of the proposed requirements and the possibility of the same process being used in the other side of the County. Marilyn Ross moved that the Board support this effort and encourage the Planning Board to work with Madison Growth Solutions to develop a plan to require uniformity of water setback regulations, and amended the request to include all new construction in both the mainstem Madison River and all streams and tributaries of all rivers on the East side of the Tobacco Root Mountains and the Gravellys. Jim Hart seconded the motion. All voted aye and the motion carried.

Telephone Conference Regarding Bradley Creek Subdivision: The Board discussed options involved in considering the preliminary plat of Bradley Creek Subdivision in a telephone conference with Dave DeGrandpre, Land Solutions, Inc., contracted planning consultant.

Big Sky Law Enforcement Contract: Dave Schenk, Sheriff, and Roger Thompson, Undersheriff, met with the Board to discuss the Big Sky Law Enforcement Agreement and requested that a couple of changes regarding the duration of the contract be made before renewing the contract. The Sheriff and Undersheriff would like this contract to be renewable annually, instead of every two years, and would like to have the ability to terminate the contract with thirty days written notice without the failure to perform provision. The Board concurred with the proposed changes.

Resolution Restructuring E911 Board: This item was tabled until the next meeting.

Airport Board Resignation: Marilyn Ross moved to accept the resignation of Bill White from the Madison County Airport Board and to advertise the position. Jim Hart seconded the motion. All voted aye and the motion carried.

Public Health Board Resignation: Marilyn Ross moved to accept the resignation of Margaret Bartko from the Madison County Public Health Board and to advertise the position. Jim Hart seconded the motion. All voted aye and the motion carried.

Mental Health Board Appointment: Jim Hart moved to appoint Marilyn Ross as the Madison County representative on the Western Montana Mental Health Board, effective immediately, with Jill Steeley as an alternate. David Schulz seconded the motion. Jim Hart and David Schulz voted aye. Marilyn Ross abstained from voting. The motion carried on a majority vote.

Jefferson River Watershed Council: Jim Hart moved to appoint Marilyn Ross as the Madison County representative on the Jefferson River Water Council effective immediately. David Schulz seconded the motion. Jim Hart and David Schulz voted aye. Marilyn Ross abstained from voting. The motion carried on a majority vote.

Area V Agency on Aging Resignation: Marilyn Ross moved to accept the resignation of Frank Nelson as the Area V Agency on Aging representative for Madison County. Jim Hart seconded the motion. All voted aye and the motion carried.

Area V Agency on Aging Appointment: Jim Hart moved to appoint Marilyn Ross as the Area V Agency on Aging representative for Madison County, effective immediately, with Barbie Durham, Grant Writer, as an alternate. David Schulz seconded the motion. Jim Hart and David Schulz voted aye. Marilyn Ross abstained from voting. The motion carried on a majority vote.

With no further business the meeting was adjourned at 5:25 p.m.

David Schulz, Chairman
Board of Madison County Commissioners

Date Approved: October 30, 2007

Minutes prepared by:

Laurie Buyan, Administrative Assistant

Peggy Kaatz, Clerk and Recorder, Madison County